



#GP 1644

PATENT  
Docket No. 17282CIP(AP)

#17  
GRD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of Steward et al

Serial No: 09/548,409; Conf. No.: 7255

Filed: April 13, 2000

For: COMPOSITIONS AND METHODS FOR  
THE TREATMENT OF PANCREATITIS

Group Art Unit: 1644

Examiner: Nolan, P.

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DEC 20 2002

TECH CENTER 1600/2900

TRANSMITTAL SHEET

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment in the above-identified application. Enclosed are:

- 1) Reply and Amendment (6 pages)
- 2) Transmittal Sheet/Certificate of Mailing/Extension of Time (2 months)
- 3) Return/Stamped Postcard

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: Box Amendment-Fee, Assistant Commissioner for Patents, Washington, D.C. 20231 on

12/11/2002  
(Date of Deposit)

BONNIE FERGUSON  
Name of person mailing correspondence

12/11/2002  
Date of Signature

Bonnie Ferguson  
Signature

12/19/2002 DEMMAHU1 00000033 010885 09548409

01 FC:1252 400.00 CH

The fee has been calculated as shown below:

CLAIMS AS FILED

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	12	MINUS	20	= 0 ×	\$18	= \$0.00
Independent Claims	1	MINUS	3	= 0 ×	\$84	= \$0.00
If application has been amended to contain multiple dependent claim(s), then add					\$280	= \$0.00
(Select only one)				one month	\$110	= \$
Time Extension Fees:				two months	\$400	= \$400.00
				three months	\$920	= \$
				four months	\$1,440	= \$*
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 400.00

- ( ) A check in the amount of \$\* is enclosed (place fee in here i.e., petition, excess claims, etc.)
- (x) The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 (associated with petition fees or excess claim fees) which may be required, or credit any overpayment to Deposit Account No. 01-0885. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

Date: 12/11/02

Signature: Carlos A. Fisher

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Docket No. 17282

# 18/D  
97D  
12/20/02  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**Applicant:** Steward et al. )  
)  
**Serial No.:** 09/548,409 )  
**Conf. No.:** 7255 )  
**Filed:** April 13, 2000 )  
)  
**For:** Compositions and Methods )  
For the Treatment of Pancreatitis )  
\_\_\_\_\_ )

Group Art Unit: 1644

DEC 20 2002

Examiner: Nolan, P.

TECH CENTER 1600/2900

AMENDMENT A

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This communication is in reply to the Office Action mailed August 8, 2002.

AMENDMENT

In the specification:

Kindly amend the paragraph bridging pages 25 and 26 of the specification with the following paragraph:

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box Amendment-Fee; Assistant Commissioner for Patents, Washington, D.C. 20231 on:

Date of Deposit: 12/11/2002

Person making Deposit: BONNIE FERGUSON

Signature: Bonnie Ferguson

Date of Signature: 12/11/2002

D1 -- In a preferred embodiment, the therapeutic element is a polypeptide comprising a clostridial neurotoxin light chain or a portion thereof retaining the SNARE-protein sequence-specific endopeptidase activity of a clostridial neurotoxin light chain. The amino acid sequences of the light chain of botulinum neurotoxin (BoNT) subtypes A-G have been determined, as has the amino acid sequence of the light chain of the tetanus neurotoxin (TeNT). Each chain contains the  $Zn^{++}$ -binding motif **His-Glu-x-x-His** (SEQ ID: 12) (N terminal direction at the left) characteristic of  $Zn^{++}$ -dependent endopeptidases (HELIH in TeNT, BoNT/A /B and /E; HELNH in BoNT/C; and HELTH in BoNT/D).--

In the claims:

Kindly cancel claim 2.

Kindly amend claim 1 to read as follows:

Sub F1  
D2  
1. (Amended) A composition for the treatment of acute pancreatitis in a mammal comprising, a first element comprising a binding element able to specifically bind a pancreatic acinar cell CCK receptor under physiological conditions, a second element comprising a translocation element derived from a clostridial neurotoxin heavy chain able to facilitate the transfer of a polypeptide across a vesicular membrane, and a third element comprising a therapeutic element derived from a clostridial neurotoxin light chain able, when present in the cytoplasm of a pancreatic cell, to inhibit enzymatic secretion by said pancreatic cell.

### REMARKS

The Examiner has requested that the sequences on page 26 of the specification be amended to incorporate a SEQ ID NO in order to relate these sequences to the paper copy of the sequence listing. Applicants have hereby made such textual reference; SEQ ID NO: 12 is a